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1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 ROBERT E. KING II, 11 NO. CIV. S-05-404 LKK/PAN 12 Plaintiff, 13 ORDER V. 14 BIMBO BAKERIES, USA, 15 Defendant. 16 17 A motion to dismiss filed by defendants is currently scheduled to be heard on the court's October 24, 2005 Law and Motion 19 Calendar. The court is in receipt of the parties' correspondence 20 indicating that plaintiff's counsel is unavailable on October 24, 21 2005, and that defendants' counsel will be unavailable for the next 22 hearing date of November 7, 2005. Accordingly, the court hereby 23 ORDERS as follows: 2.4 1. The hearing scheduled for October 24, 2004 is CONTINUED

1. The hearing scheduled for October 24, 2004 is CONTINUED to December 12, 2005 at 10:00 a.m. in Courtroom No. 4; and

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2. Plaintiff shall file an opposition or statement of non-opposition no later than November 21, 2005 at 4:00 p.m. IT IS SO ORDERED. DATED: September 27, 2005. /s/Lawrence K. Karlton LAWRENCE K. KARLTON SENIOR JUDGE UNITED STATES DISTRICT COURT